



Entered on Docket
November 09, 2011

A handwritten signature in black ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Sustaining First Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based Entirely Upon Investment In The
HFAH Clear Lake, LLC Loan**

Hearing Date: September 30, 2011

Hearing Time: 9:30 a.m.

The Court having considered the "First Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The HFAH Clear Lake, LLC Loan ("HFAH Clear Lake, LLC Loan") [DE 8891] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to

1 repayment by the borrower or from the collateral securing the HFAH Clear Lake, LLC
2 Loan; and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8891] is sustained; and
5 2. The claims listed on **Exhibit A** attached are 20% allowed and 80%
6 disallowed because those claims are based entirely upon an investment in the HFAH Clear
7 Lake, LLC Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**
11

12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.

14 John Hinderaker (*pro hac vice*)

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19 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: <u>Augie Landis</u>	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust

HFAH Clear Lake, LLC

Single Loan Claims

Claim	Date Claim was Filed	Name	Address	Approximate Investment In the HFAH Clear Lake, LLC Loan	Amount Disallowed (80%)	Amount Allowed (20%)
10728-00050	9/27/2006	Aronson, Lawrence J & Henrietta	21150 Point Pl Apt 606 Aventura, FL 33180-4034	100,000.00	80,000.00	20,000.00
10725-01588	12/8/2006	Beaulieu, Jack J Revocable Living Trust Dtd 9/1/9	Jack J Beaulieu Trustee 2502 Palma Vista Ave Las Vegas, NV 89121	37,500.00	30,000.00	7,500.00
10725-01241	11/9/2006	Bolding, William & Carolyn	3961 Arizona Ave Las Vegas, NV 89104	50,466.67	40,373.34	10,093.33
10725-01854	1/4/2007	Broadwalk Investments Limited Partnership	Attn James R Bonfiglio 8635 West Sahara Ave PMB 220 Las Vegas, NV 89117	100,000.00	80,000.00	20,000.00
10725-01235	11/9/2006	Casey III, Richard F IRA	130 Lansberry Ct Los Gatos, CA 95032	50,000.00	40,000.00	10,000.00
10725-01473	11/15/2006	Casey, Richard	Sterling Trust Company Custodian FBO Po Box 2526 Waco, TX 76702-2526	50,000.00	40,000.00	10,000.00
10725-01532	12/4/2006	Fine, Lewis H & Arlene J	Po Box 598 Herber City, UT 84032	80,000.00	64,000.00	16,000.00
10725-00530	10/10/2006	George S & Natalie H Cohan Family Trust Dtd 4/3/03	C/O George S Cohan Trustee 2048 Foxfire Ct Henderson, NV 89012-2190	200,000.00	160,000.00	40,000.00
10728-00078	10/23/2006	Hansen, Edwin C & Rachel M	2549 Shettler Rd Muskegon, MI 49444-4356	130,000.00	104,000.00	26,000.00
10725-00409	10/2/2006	Harms, Kurt & Sandra	5513 Indian Hills Ave Las Vegas, NV 89130-2073	56,766.70	45,413.36	11,353.34

EXHIBIT A

2414596.1